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Attorneys for Respondent
LUCENT TECHNOLOGIES INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E-FILED - 5/24/06

SCHOENDUVE CORPORATION, a)	CASE NO. C 03 03523 RMW
California corporation,)	
)	STIPULATION AND
Petitioner,)	AMENDED ORDER RE DISBURSEMENT
)	OF MONEY DEPOSITED WITH THE
v.)	COURT
)	
LUCENT TECHNOLOGIES, INC.,)	
a Delaware Corporation,)	
)	Related Case: C01-20767 RMW ADR
Respondent.)	

Petitioner Schoenduve Corporation ("Schoenduve") and
Respondent Lucent Technologies Inc. ("Lucent"), through their
counsel of record, hereby stipulate as follows:

1. The parties submitted a prior stipulation and
proposed Order, which this Court signed regarding the

1 disbursement of money deposited with the Court. Unfortunately,
2 there were errors in that stipulation and, as a result, no money
3 could be disbursed. The parties have corrected those errors and
4 submitted this new stipulation and proposed Order.

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6 2. This Court entered judgment on an arbitration
7 award in favor of Schoenduve Corporation.

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9 3. Lucent made a motion to deposit money in lieu of
10 an appeal bond to stay enforcement of the judgment pending
11 appeal. This Court granted that motion and ordered Lucent to
12 deposit \$5,071,875 to stay enforcement of the judgment.

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14 4. Lucent deposited \$5,071,875 on or about July 1,
15 2004.

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17 5. The Ninth Circuit recently affirmed the judgment.

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19 6. The parties have resolved their differences
20 regarding disposition of the money that was deposited. They have
21 agreed that Schoenduve should receive \$4,375,979.08 (prejudgment
22 and post-judgment interest plus \$150 in costs in the district
23 court and \$150 in costs in the Ninth Circuit) if payment is
24 received by May 1, 2006 (and an additional \$551.08 per day if
25 payment is received after May 1, 2006) and the remaining balance
26 should be made payable to Agere Systems Inc. (A chart
27 calculating the amount due Schoenduve is attached hereto as
28 Exhibit A.)

1 7. The parties request that one check be made payable
2 to Russo & Hale LLP Trust Account FBO Schoenduve Corporation
3 for the appropriate amount in Paragraph 6 and sent to its counsel
4 (Jack Russo at the law firm of Russo & Hale LLP located at 401
5 Florence Street, Palo Alto, CA 94301).

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7 8. The parties request that a second check for the
8 remaining balance be made payable to Agere Systems Inc. and
9 sent to its counsel (Jeff Riffer of the law firm of Jeffer,

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1 Mangels, Butler & Marmaro LLP located at 1900 Avenue of the
2 Stars, 7th Floor, Los Angeles, CA 90067).

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4 9. The parties reserve the right to seek
5 recalculation of the post-judgment daily interest rate to conform
6 to the appropriate rate set by law if payment is not made by June
7 1, 2006.

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9 IT IS SO AGREED:

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11 DATED: May 15, 2006

JEFFER, MANGELS, BUTLER & MARMARO LLP
JEFFREY K. RIFFER

12
13
14 By: -JEFFREY K. RIFFER-
JEFFREY K. RIFFER

15 Attorneys for Respondent LUCENT
TECHNOLOGIES INC.

16
17 DATED: May 15, 2006

RUSSO & HALE LLP
JACK RUSSO
MICHAEL RISCH

18
19
20 By: -JACK RUSSO-
JACK RUSSO

21 Attorneys for Petitioner SCHOENDUVE
22 CORPORATION

23
24 **IT IS SO ORDERED**

25
26 Dated: 5/24, 2006

/s/ Ronald M. Whyte
United States District Court Judge

DECLARATION OF JEFFREY K. RIFFER

I, Jeffrey K. Riffer, declare as follows:

1. I am duly licensed to practice before this Court and am a partner with the law firm of Jeffer, Mangels, Butler & Marmaro LLP, counsel for Respondent Lucent Technologies, Inc. ("Lucent").

2. I attest that concurrence in the filing of this document has been obtained from each of the other signatories which shall serve in lieu of their signature(s) on this document.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 15th day of May 2006, at Los Angeles, California.

-JEFFREY K. RIFFER-
JEFFREY K. RIFFER